

Native Dispute Resolution Network Update Report May 2006

Updates and Happenings

New Members: In January 2005 we initiated a new round of outreach to potential Network Members. We sent materials to 65 individuals, the majority self-identified as Native people, and made individual contacts as follow-up. We have five new members and a couple “in the works.”

Since the last report, we welcomed Kevin Gambrell, Charna Lefton, Art Lusse, Robert Martin, and Robert Saint Aubin to the Network. A list of current members, with contact, information is attached.

Outreach to potential users of the Network: We continue to conduct outreach activities to specific audiences.

Materials were provided at the:

- Public Interest Law Conference at University of Oregon School of Law (OR, March 2006)
- Federal Bar Association Indian Law Conference (NM, April 2006)
- Peacemaking Circles for Tribal Court Systems (AZ, April 2006)
- Missouri River Natural Resources Conference (NE, May 2006)
- 6th Conference on Research and Resource Management in the Southwestern Deserts (AZ, May 2006).

Sarah made presentations at the:

- United South and Eastern Tribes, Natural Resources Committee annual conference (FL, October 2005)
- Western States Water Council (CO, February 2006)
- The Federal Training Working Group (Washington DC, April 2006).

Joan staffed an exhibit featuring Network information at the National Tribal Environmental Council Conference (So. CA, May 2006). We also expect to place materials at ALI-ABA NEPA Training Course (CA, June 2006). Sarah anticipates attending and providing materials at the Native American Tribal Historic Preservation Officers conference (NM, July 2006) and the National Congress of American Indians (CA, October 2006).

Please help spread the word to potential users of the Network and encourage your colleagues to become Network members. An overview brochure is attached. Please feel free to copy and distribute it at meetings, workshops and other venues. Also, we can provide you copies with a week’s notice. Network materials are also available on the U.S. Institute’s website, including information on how to join the Network: <http://www.ecr.gov/naan/naan.htm>.

If there are conferences or other events where we could be sending materials for distribution, please let Joan know.

Administrative support staff changes: Pat Lewis has taken on additional responsibilities here at the U.S. Institute, so **Kathleen Docherty** is now providing administrative support for the Network. Kathleen works with Joan, who is the team lead (with Sarah) for Network management. Kathleen can help with web or listserv technical difficulties or questions, contact information changes and probably lots of other things. **Kathy Moulin** is new to the U.S. Institute and provides administrative support to Sarah, who is the team lead for the 2006 Skills Exchange Workshop and is the program manager for the Native American and Alaska Native Environmental Program.

2006 Skills Exchange Workshop: The workshop is scheduled for August 21-24 in Albuquerque, New Mexico. Planning is underway and information will be out soon. The priority for participation will be Network members and potential members who did not attend last year's workshop.

Referrals from the Native Network

“Referral” means that we provided Network member information to individuals or entities seeking assistance in collaborative dispute resolution. Referrals are either for external or internal purposes:

External: A request made from outside of the U.S. Institute

Internal: A request made by a U.S. Institute Program Manager when locating practitioners for subcontracting as part of assisting parties with the selection of a practitioner.

Total Referrals to date:

External Referrals:	22
Internal Referrals:	5

Primary requestors: Requests have been coming from a variety of requestors such as various offices in the Environmental Protection Agency and other federal agencies, a tribal environmental coalition, Tribes, and contractors to Tribes.

External Referrals since May 1, 2005:

- Intercultural Communications Training (National)
- Historic Preservation Collaboration Training (National)
- BLM Land Sale Appeal Mediation (CA)
- Navajo Nation ECR Training (AZ)
- Telescope Siting/Tribal Consultation (AZ)
- Tribal Environmental Organization Board Development (CA)
- NAGPRA Repatriation Process Meeting Facilitation (NM)*
- Mine Reclamation Assessment/Facilitation (NM)
- EPA Meeting Facilitation (OK)
- EPA/Tribal Meeting Facilitation (OK)
- Hazardous Waste Health Risk Facilitation (WA)

*Sample External Referral

04/06 NAGPRA Repatriation Process Meeting Facilitation (NM)

The Native American Grave Protection and Repatriation Act (NAGPRA) Liaison for a state/non-governmental hybrid organization sought referral to practitioners in Colorado and New Mexico to assist with facilitation of a meeting related to designing a process for repatriating culturally unidentified human remains. Materials for seven practitioners with relevant experience were provided (a combination of Roster of ECR Practitioner and Network members). Follow-up is underway to get information about which practitioner was selected for this facilitation.

Internal Referrals since May 1, 2005:

Facilitated Negotiations Lake Coeur d'Alene Management Plan (ID)*

FHWA Facilitated Workshop (TN)

August 2006 Skills Exchange Workshop

***9/05 Facilitated Negotiations for Developing a Lake Coeur d'Alene Management Plan (ID)**

The US EPA Conflict Prevention and Resolution Center, EPA Region 10, the Coeur d'Alene tribe and Idaho Department of Environmental Quality sought the assistance of the U.S. Institute to develop a two-phased agreement-seeking process. The first phase is an assessment that serves to inform design approaches to negotiations. The second phase is to implement facilitated negotiations as agreed upon by the parties upon review and discussion of the assessment. A Request for Statements of Interest and Qualifications was sent to 36 practitioners with relevant experience (a combination of Roster of ECR Practitioner and Network members). Network and roster member Michael Harty was selected.

Sharing Experiences, Skills and Information

Member Listserv: We encourage you to continue to use the member listserv as a forum for engaging each other in approaches to our work in collaborative dispute resolution and as a forum for posing those thought-provoking questions. Post a question or request to nativenetwork@listserv.ecr.gov.

Members page on the Network website: The site is a forum for sharing ideas, resources, case studies and dispute resolution approaches among Network members. We encourage you to make use of it. Our role is to ensure the pages will be dynamic, relevant and adaptable to your needs and a safe haven to exchange information. Your recommendations for enhancing this resource are always appreciated.

Start at the Network page of the U.S. Institute's web site: <http://nativenetwork.ecr.gov/> and click "Members Login Page" at the bottom (if you save the login page to your favorites, you can find it again easily). **Everyone's login info is the same:**

Username: nnmember

Password: Nativeweb (the "N" must be capitalized)

On the members pages you will find products from the August '05 Skills Exchange workshop in the Learning Circle section of the website (click Native Network Workshops):

- "Reminders and Inspiration for Practitioners" (take-away points)
- The full report from the August '05 Skills Exchange workshop

Other information of interest is available in these sections:

- **Announcements** (includes new members)
- **Learning Circle - Sharing the Wisdom**
 - Federal Policies, Acts and Executive Orders
 - Reports/Case summaries
 - Federal Native Programs and ADR Offices
 - Native Organizations/Governance
 - Native Network Workshops
 - Native Network Listserv

Please send your announcements about learning or training opportunities, conferences or job opportunities to nativenetwork@ecr.gov. We will review your posting, contact you with any questions, and post it.

Structure, development, and management of the Native Dispute Resolution Network:

We've had some questions that have prompted us to think that providing an overview of how the Network is managed would be helpful for some Network members. The development and management of the Network is the responsibility of U.S. Institute program staff Joan Calcagno and Sarah Palmer. In the development of the Network, we sought the direct involvement of American Indian, Alaska Native, and Native Hawaiian practitioners, government, and court representatives. This group of individuals constituted a coordination team, which has been essential to the successful development and growth of the Network. We continue to rely on the input of the coordination team members as needed (although the team does not meet) and the Network members as the Network develops. A more detailed description of the development process for the Network, and the members of the Coordination Team who provided input, is available from the Network website: <http://nativenetwork.ecr.gov/?link=102>

Continuing to Look to the Future

Thank you for your continued support and participation in fulfilling the vision and mission of the Network. As you have ideas and suggestions in the ongoing development of the Network, please share them.

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